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January 12, 2023

VIA EMAIL

Honorable André M. Espinosa, U.S.M.J
U.S. District Court for the District of New Jersey
Frank R. Lautenberg U.S. Post Office & Courthouse
2 Federal Square
Newark, New Jersey 07101

**Re: *Borough of Edgewater vs. Waterside Construction, et al*
*Civil Action No. 2:14-cv-05060 (JMV-AME)***

Dear Judge Espinosa:

As Your Honor is aware, I represent Third-Party Defendant/Defendant/Cross Claimant Hudson Spa Club, LLC ("Hudson Spa") in the above captioned matter. I am in receipt of an email dated January 12, 2023 from Your Honor's law clerk, Joshua Sherman, attaching a Final Pretrial Order form to be submitted by all parties in this matter.

I enclose for Your Honor's convenience a copy of Judge John Michael Vazquez's Order of September 29, 2021 granting Summary Judgment to my client.

Respectfully submitted,

BRESLIN AND BRESLIN, P.A.



Kevin C. Corriston

KCC:mlc

Enclosure

cc: All Counsel of Record (via Email)

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BOROUGH OF EDGEWATER,

Plaintiff,

v.

WATERSIDE CONSTRUCTION, LLC; 38
COAH , LLC; DAIBES BROTHERS, INC.;
NORTH RIVER MEWS ASSOCIATES, LLC;
FRED A. DAIBES; TERMS
ENVIRONMENTAL SERVICES, INC.;
ALCOA INC.; ALCOA DOMESTIC, LLC, as
successor in interest to A.P. NEW JERSEY,
INC.; HUDSON SPA, LLC; JOHN DOES 1-
100; ABC CORPORATIONS 1-100,

Defendants

and

WATERSIDE CONSTRUCTION, LLC; 38
COAH LLC; DAIBES BROTHERS, INC.;
NORTH RIVER MEWS ASSOCIATES, LLC;
FRED A. DAIBES,

Defendants/ Third-Party Plaintiffs

v.

NEGLIA ENGINEERING ASSOCIATES,

Third-Party Defendants,

and

ALCOA DOMESTIC, LLC as successor in
interest to A.P. NEW JERSEY, INC.,

Defendant/Third-Party Plaintiff,

v.

COUNTY OF BERGEN; RIVER ROAD
IMPROVEMENT PHASE II, INC.; HUDSON
SPA, LLC,

Third-Party Defendants.

Civil Action No. 14-5060

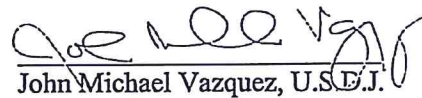
ORDER

John Michael Vazquez, U.S.D.J.

For the reasons set forth in the accompanying Opinion, and for good cause shown,

IT IS on this 29th day of September, 2021,

ORDERED that the motion filed by Hudson Spa, LLC for summary judgment (D.E. 342) is **GRANTED**.¹


John Michael Vazquez, U.S.D.J.

¹ Hudson Spa, LLC moved for summary judgment as to the negligence and Spill Act claims asserted against it. The motion is therefore granted only as to those claims.